

extent necessary to maintain the same pay relationships that existed on December 31, 1986, between personnel and Senators and between positions.

(b) Adjustments made by the President pro tempore under this section shall be made in such manner as he considers advisable and shall have the force and effect of law.

(Pub. L. 101-520, title III, §315, Nov. 5, 1990, 104 Stat. 2283; Pub. L. 102-90, title III, §308, Aug. 14, 1991, 105 Stat. 466.)

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (a), is set out under section 5332 of Title 5, Government Organization and Employees.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1991.

AMENDMENTS

1991—Subsec. (a), Pub. L. 102-90 substituted “5303” for “5305”.

§ 60a-2. House of Representatives pay adjustments; action by Clerk of House

(a) Whenever an adjustment under section 5303 of title 5 becomes effective with respect to rates of pay under the General Schedule, the Clerk of the House of Representatives, in such manner as he considers advisable—

(1) effective on the first day of the month in which such pay adjustment by the President is made effective as described above, shall adjust—

(A) each minimum and maximum rate of pay applicable to any employee or class of employees whose pay is disbursed by the Clerk of the House (other than a maximum rate equal to or greater than the maximum rate then currently being paid under the General Schedule of section 5332 of title 5 as a result of such adjustment); and

(B) each monetary limitation on or monetary allowance for pay applicable to any such employee or class of employees, including but not limited to—

(i) the clerk hire allowance for each Member of the House of Representatives and the Resident Commissioner from Puerto Rico; and

(ii) the allowances for additional office personnel in the offices of the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, of the House of Representatives;

by an amount rounded to the nearest \$100 and computed on the basis of a percentage equal or equivalent, insofar as practicable and with such variations as the Clerk considers appropriate, to the percentage of the adjustment under such section 5303;

(2) shall determine, with respect to the employees and classes of employees within the purview of this section whose pay is disbursed by the Clerk, the respective amounts of pay adjustments which are equal or equivalent, insofar as practicable and with such exceptions and modifications as may be necessary to provide for appropriate pay relationships between

positions, to corresponding increases in pay, as determined by the Clerk, made by the pay adjustment by the President; and

(3) shall transmit to the appropriate pay-fixing authority concerned in the House of Representatives a copy of his determinations with respect to the pay of those employees whose pay is fixed and adjusted by that authority.

(b) After consideration of the pay determinations transmitted by the Clerk of the House, the pay-fixing authority concerned may adjust, notwithstanding the provisions contained in sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31, the rates of pay concerned in such manner as that authority considers appropriate.

(c) Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

(d) This section shall not be deemed to authorize any adjustment in the rates of pay of employees whose rates of pay are disbursed by the Clerk of the House of Representatives and are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices, including employees subject to the House Wage Schedule.

(e) No rate of pay shall be adjusted under this section to an amount in excess of the rate of basic pay of level V of the Executive Schedule contained in section 5316 of title 5.

(Pub. L. 91-656, §5, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, §3(b), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, §14(b), Aug. 19, 1972, 86 Stat. 575; Pub. L. 101-509, title V, §529 [title I, §101(b)(4)(F), (10)], Nov. 5, 1990, 104 Stat. 1427, 1440, 1442; Pub. L. 102-378, §5(b), Oct. 2, 1992, 106 Stat. 1358.)

CODIFICATION

In subsec. (b), “sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31” substituted for “section 665 of title 31, United States Code” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1992—Subsec. (a), Pub. L. 102-378 inserted “of title 5” after “section 5303”.

1990—Subsec. (a), Pub. L. 101-509, §529 [title I, §101(b)(4)(F)(i)], substituted “(a) Whenever an adjustment under section 5303 becomes effective with respect to rates of pay under the General Schedule,” for “(a) Whenever a pay adjustment by the President under section 5305 of title 5 is made effective pursuant to subsection (a)(2), or subsections (c) to (m), inclusive, as the case may be, of such section 5305, or section 3(c) of this Act, then”.

Subsec. (a)(1), Pub. L. 101-509, §529 [title I, §101(b)(10)], made technical correction to Pub. L. 92-298 and Pub. L. 92-392, see 1972 Amendment note below.

Pub. L. 101-509, §529 [title I, §101(b)(4)(F)(iii)], in closing provisions, substituted “adjustment under such section 5303;” for “pay adjustment made by the President;”.

Subsec. (a)(1)(A), Pub. L. 101-509, §529 [title I, §101(b)(4)(F)(ii)], substituted “adjustment)” for “pay adjustment by the President)”.

1972—Subsec. (a)(1), Pub. L. 92-298 and Pub. L. 92-392, as amended by Pub. L. 101-509, §529 [title I, §101(b)(10)], made identical substitutions in introductory provisions of “effective on the first day of the month in which such pay adjustments by the President” for “effective

at the beginning of the first pay period commencing on or after the day on which such pay adjustment by the President”.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as a note under section 5301 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as an Effective Date note under section 5341 of Title 5, Government Organization and Employees.

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

DIRECTIVE OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [5 U.S.C. 5304 NOTE]

Salary Directives of the Speaker of the House of Representatives were issued on the following dates:

June 17, 1969, increases eff. July 1, 1969, Cong. Rec., vol. 115, pt. 12, p. 16196.

June 11, 1968, increases eff. July 1, 1968, Cong. Rec., vol. 114, pt. 13, p. 16717.

INCREASES IN COMPENSATION

The following acts provided increases in compensation for elected officers and certain employees of the House of Representatives:

June 20, 1958, Pub. L. 85-462, §4(k), (l), 72 Stat. 209.

June 28, 1955, ch. 189, §4(c), 69 Stat. 176.

Oct. 24, 1951, ch. 554, §2(e), 65 Stat. 614.

Oct. 28, 1949, ch. 783, title I, §101(d), 63 Stat. 974.

CROSS REFERENCES

Authority of Committee on House Oversight of House of Representatives to combine House Clerk Hire Allowance into Members' Representational Allowance, see section 57b of this title.

§ 60a-2a. Rates of compensation disbursed by Clerk of House; adjustments by Speaker; “Member of the House of Representatives” defined

(1) Notwithstanding any other provision of this Act, or any other provision of law, rule, or regulation, on and after December 22, 1987, each time the President pro tempore of the Senate exercises any authority pursuant to any of the amendments made by this section with respect to rates of pay or any other matter relating to personnel whose pay is disbursed by the Secretary of the Senate, or whenever any of the events described in paragraph (2) occurs, the Speaker of the House of Representatives may adjust the rates of pay (and any minimum or maximum rate, limitation, or allowance) applicable to personnel whose pay is disbursed by the

Clerk of the House of Representatives to the extent necessary to ensure—

(A) appropriate pay levels and relationships between and among positions held by personnel of the House of Representatives; and

(B) appropriate pay relationships between—

(i) positions referred to in subparagraph (A); and

(ii)(I) positions under subparagraphs (A) through (D) of section 356 of this title;

(II) positions held by personnel whose pay is disbursed by the Secretary of the Senate; and

(III) positions to which the General Schedule applies.

(2) The other events permitting an exercise of authority under this section are either—

(A) an adjustment under section 5303 of title 5 in rates of pay under the General Schedule; or

(B) an adjustment in rates of pay for Members of the House of Representatives (other than an adjustment which occurs by virtue of an adjustment described in subparagraph (A)).

(3) For the purpose of this section, the term “Member of the House of Representatives” means a Member of the House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico.

(Pub. L. 100-202, §101(i) [title III, §311(d)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-310; Pub. L. 101-520, title III, §308, Nov. 5, 1990, 104 Stat. 2277; Pub. L. 102-90, title III, §308, Aug. 14, 1991, 105 Stat. 466.)

REFERENCES IN TEXT

This Act, referred to in par. (1), probably means the Legislative Branch Appropriations Act, 1988, Pub. L. 100-202, §101(i), Dec. 22, 1987, 101 Stat. 1329-290. For complete classification of this Act to the Code, see Tables.

The amendments made by this section, referred to in par. (1), means the amendments made by section 101(i) [title III, §311] of Pub. L. 100-202, Dec. 22, 1987, 101 Stat. 1329-290, 1329-310, which enacted this section, amended section 60a-1 of this title, and enacted provisions set out as a note under section 60a-1 of this title.

The General Schedule, referred to in pars. (1)(B)(i)(III) and (2)(A), is set out under section 5332 of Title 5, Government Organization and Employees.

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1988, which is title I of the Legislative Branch Appropriations Act, 1988.

AMENDMENTS

1991—Par. (2)(A). Pub. L. 102-90 substituted “5303” for “5305”.

1990—Pub. L. 101-520 designated existing provisions as par. (1), inserted “or whenever any of the events described in par. (2) occurs,” after “Secretary of the Senate,” substituted “may adjust the rates of pay (and any minimum or maximum rate, limitation, or allowance) applicable to personnel whose pay is disbursed by the Clerk of the House of Representatives to the extent necessary to ensure—” and subpars. (A) and (B) for “may, with respect to personnel whose pay is disbursed by the Clerk of the House of Representatives, exercise the same authority to the extent necessary to ensure parity of treatment between personnel of the respective Houses of Congress having comparable duties and responsibilities.”, and added pars. (2) and (3).